REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of 17 March 2010 (Office Action), as well as the telephonic interview between the Examiner and Applicants' representative conducted on 27 May 2010. As this response is filed prior to the expiration of the 3-month shortened statutory period, no fees are believed due. However, the Examiner is authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-3610.

Objections to the claims

Claims 7-8, 10-13 were objected to, and rejected under 35 USC § 101. During the telephonic interview, and indicated in the interview summary dated 02 June 2010, Examiner suggested using the phrase "non-transitory computer readable storage media." Applicants have accordingly amended the claims. Applicants reiterate Applicants' previous comments regarding 37 CFR 1.75(d)(1), which requires either "antecedent basis" or "clear support" in the specification when adding claim terms to the claims which were not originally/previously in the claims.

Objection to the Drawings

Examiner contended that FIG. 5 should be labeled as "prior art" based on Applicants' previous statement that it is "linguistically conventional" to refer to an item as a whole even though one may be referring to particular actions or particular components of the item.

Applicants deny having made any such admission and assert that no such admission was made. What appears to have been incorrectly interpreted as an admission was a description of how one of ordinary skill in the art would refer to a particular device. To say the use of a particular term in a given context is linguistically conventional is not the same as saying something specific encompassed within what that general term is referring to is "conventional" as that term is used with regard to patentability.

CLAIM REJECTIONS

Rejections under 35 USC § 101

Applicants have adopted Examiner's suggestion regarding the use "non-transitory" computer readable storage media. Applicants gratefully thank Examiner for the suggestion and believe the rejection has been obviated by adopting Examiner's suggested language.

Rejections under 35 USC § 112, first and second paragraphs.

Claims 7-13 were rejected under 112 first paragraph, and claims 1-19, and 21 were rejected under 112 second paragraph. The two rejections are related due to the wording of claims and specification. Applicants have removed the subject matter from the claims. This is not an indication of agreement with the Rejection and Applicants asserts that Applicants' previous arguments regarding the interpretation of the NIC being powered while the mobile station remains otherwise powered down are correct. However, in the interest of expediting prosecution, Applicants have presently decided to substantially remove these limitations from the claims. During the telephonic conference of 27 May 2010, Examiner indicated that Examiner believed the entire system, i.e. the host, must wake up in order to supply the NIC with various signals, such as clock signals. This is directly contradicted by US Patent No. 6,381,636, cited in the specification on page 2, line 16, which shows a NIC which is capable of operating and responding to asset requests while its host is powered down.

Rejections under 35 USC § 103

Claims 1, 3-8, 10, 14, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,324,468 to Fischer (hereinafter "Fischer") in view of U.S. Patent Pub. No. 2001/0031626 to Lindskog (hereinafter "Lindskog 626"), in further view of

Patent Pub. No. 2003/0132603 to Lindskog (hereinafter "Lindskog 603"). This includes all pending independent claims 1, 7, and 14.

Fischer describes the "power-save" operation of a mobile or wireless device in which the device is placed into a sleep state, and then awakened either at some interval or upon occurrence of a user input to engage in network communication, as described at the section cited by Examiner in col. 11, lines 37-46.

Fischer fails to show several aspects of the claimed invention, as claimed in claims 1, 7, and 14. In particular, claims 1, 7, and 14 recite that the wireless network adapter retrieves "asset" information. Asset information, described in the background section on page 2, lines 1-5 of the specification, is information concerning the hardware components, software version, and identifiers of the asset. This information is long standing, meaning it doesn't change with any significant frequency relative to data information exchanged between devices such as data for voice phone calls, web browsing, and so on. This allows the asset information to be stored separately from other information, in a non-volatile memory directly connected to the wireless network adapter. The exchange of this information requires no processing, and is not produced by any application being executed by the main CPU of the device. This unique nature of asset information allows the mobile device to wake up only the wireless network adapter and leave the remaining portion of the device powered down. There is no need to power up main CPU and other system components. Fischer, conversely, describes a contention resolution method for regular power save operation. In regular power save operation the device is typically engaged in QOS communication for which there may (or may not) be "traffic," as explained by Fischer in regard to FIGs. 3 & 4 of Fischer. QOS traffic is data that, when present, requires some higher level processing by the device, which means it cannot remain powered off. Certain QOS traffic requires immediate processing, such as when the traffic is related to a data stream being processed by the device, such as voice data for a voice over internet protocol (VoIP) call.

Because Fischer is not concerned with more permanent data such as asset information, Fischer does not contemplate having the memory directly connected to the wireless network adapter. The Rejection contended this feature was shown by Fischer at col. 12, lines 60-67, which states:

> an explicit message to another device transferring control of the communication medium to the other device. Alternatively, for example, the control-passing module 521 may utilize the transceiver module 515 to communicate a null data frame to another device, thus signifying that the first device is no longer utilizing the communication medium and that the other device may then take control of the communication medium.

The rejection further cited col 13 lines 1-11 as showing the claimed storage being directly connected to the NIC. That section of Fischer recites:

> The first communication module 510 also includes a data communication module 530 that is coupled to the MAC module 520, the transceiver module 515 and the power-save module 505. After the MAC module 520 gains access to and control of a communication medium, the data communication module 530 may utilize the transceiver module 515 to communicate information to another networked device. For example, in the illustrative system 500 shown in FIG. 5, the data communication module 530 may utilize the transceiver module 515 to communicate with the second device.

Applicants find no mention of memory or of any non-volatile storage connected directly to the wireless network adapter or asset information in this section. Applicants' claimed limitation of the non-volatile storage being directly connected to the wireless network adapter is supported by FIG. 2, elements 230, 235, and 240, as described, for example, on page 5 lines 21-24.

Subsequently the Rejection contends Lindskog 603 shows "a storage unit connected directly to the wireless network adaptor via two wire bus" and the Examiner states there "must be an internal storage that is directly attached to NIC in order to transmit/receive information." With respect, Examiner is taking Official Notice of a claim limitation and as such Applicants respectfully demand a proper showing under MPEP 2144.03(C). Applicants further point out that it isn't merely "internal storage" being claimed, which could be, for example, volatile RAM-

type input/output buffers, but as recited in the claims and as described in the specification, non-volatile storage, i.e. storage that retains data when not powered. The reason why it is non-volatile storage is so that the data persists when the NIC is powered off.

Claim 14 was amended to indicate that the asset storage unit is entirely dedicated to the storage of asset information, which is supported by the specification at page 5, lines 24-25. Neither Fischer nor either of the Lindskog references show this limitation.

Furthermore, the claims have been amended to indicate that the asset information request contains the MAC address of the wireless network adapter, as supported by the specification at page 8 lines 1-19. The Rejection cited the references as showing the asset information request, particularly Fischer at col. 5 lines 58-67. What Fischer describes is conventional buffering of traffic packets which are held until they are transmitted to their respective destination mobile systems. These traffic packets are received at the AP by IP address. They are not "requests;" they are data that is destined to the mobile system. They do not include the MAC address of the destination device, rather the AP, upon receiving traffic packets, cross references the IP address and other IP/TCP information with a locally stored table of MAC addresses of mobile systems associated with the AP. This table is not an asset information table, but rather conventional IP/MAC cross reference table. Fischer and the Lindskog references fail to show the claimed asset information request.

Claims 1, 7, and 14 have been further amended to recite that the request is stored in the access point separately from interface buffers of the access point, as supported by FIG. 3 (interfaces 304, 306, and NVM 320 including table 330) and the specification at page 5 line 29 to page 6 line 9. Fischer and the Lindskog references show conventional buffering of traffic in accordance with IEEE specification 802.11 power save operation. Under power save operation, the access point buffers traffic destined for an associated device, as shown, for example, in Fischer at the section cited by the Rejection, col 5 lines 58-67, as well as in FIG. 5 element 590. Lindskog 603 likewise shows IEEE 802.11 power save operation which buffers message in interface buffers. The references do not show this recited limitation.

Claims 1, 3, 7 and 14 are therefore allowable over the cited combination of references.

Claims 4-6 state that the asset information request is stored in a table at the AP. None of the references show the claimed asset information request, or a table for asset information requests at the AP, as previously discussed.

Claims 2, 13, 15, and 16 were rejected over Fischer, Lindskog 626, Lindskog 603, and Cheshire (US Pub. No. 2007/0038877).

Cheshire shows a network using a sleep proxy which either answers in place of an associated device in sleep mode if possible, otherwise if it cannot provide requested information, it wakes up the associated device. Cheshire fails to teach other limitations not shown by the other references and recited in the claims. Cheshire does not store the request and hold it until the device polls the sleep proxy, rather the sleep proxy allows the device to stay asleep indefinitely unless the sleep proxy does not have the requested information. Cheshire does not, therefore, correct the deficiencies of the other references, and claims 2, 13, 15, and 16 are therefore allowable as being dependent on allowable claims.

Regarding claim 11, the cited section of Cromer describes a packet which is sent by a management server; it is not a table. Claim 11 recites that each table entry contains a MAC address.

Regarding claim 12, as previously stated, none of the references describe an AP having an asset information request table; Cromer does not teach such an AP. APs are features of wireless networks, Cromer describes a wired network. WOL also describes a wired network and does not describe APs.

The remaining claims are dependent claims which inherit the features of their respective base claims and any intervening claims. Generally, Applicants find that the references fail to show the claimed features of all pending claims as amended. Fischer, Lindskog 626, Lindskog

603, Cromer, and WOL fail to show asset information requests in a wireless environment utilizing an AP that maintains an asset information request table, and wherein the mobile systems have an asset information storage unit comprised of non-volatile storage which is directly connected to the wireless network adapter.

Conclusion

Applicants believe that the invention as claimed should be in allowable condition over the cited references. Applicants have made claim amendments which are supported by the specification. No new matter has been added and, as such, Applicants believe that the present invention is in full condition for allowance, which action is respectfully requested.

The Applicants request that the Examiner call the undersigned **(954-745-0374)** if clarification is needed on any matter within this Reply, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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